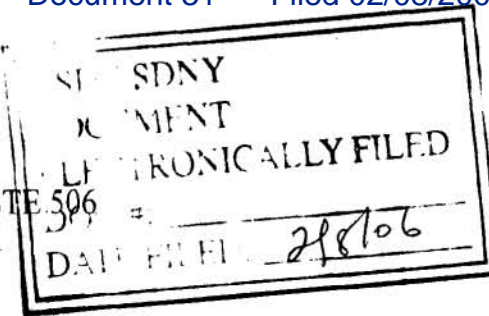


ORIGINAL

RUTH M. POLLACK, ESQ.  
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Tel. 516-746-0144



MEMO ENDORSED

January 24, 2006

Via Hard Copy By Hand Delivery  
Hon. Judge Kenneth M. Karas  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 10007

Re: Ello v. Singh et al.  
Case No. 05 CV 9625

Dear Judge Karas:

My office represents Plaintiff Richard Ello in the above-referenced ERISA/Wrongful Termination case. I am mindful of your Individual Rules and your last order, which stated that I might not have any adjournments in this case absent extraordinary circumstances. Per order of this Court plaintiff must file its first amended complaint by January 24, 2006. This is our first request for this adjournment.

I respectfully request one additional day, that is, by the end of the day of January 25, 2006. This request is made because I am suffering from an infection secondary to ovarian cancer and have been treating since Friday with strong antibiotics, which have made me tired and unable to work as long as I am accustomed. I will finish treatment by Friday. This effect was not anticipated, is extraordinary, and due to the extent of my regular medication, it has occurred. I have requested the consent of both defense counsel by e-mail and hope they will consent as I have for them. The amendment of the complaint is very time consuming and I truly require the extra day to complete it in a professional manner.

Accordingly, the proposed schedule is as follows:

PLAINTIFF TO SERVE AND FILE FIRST AMENDED COMPLAINT VIA  
ECF by January 25, 2006 at 6:00 p.m.

Thank you.

Very truly yours,

  
RUTH M. POLLACK (RP1407)

Service on both defense counsels via Email on 1/24/06

ECF NO: \_\_\_\_\_

SO ORDERED

  
KENNETH M. KARAS U.S.D.J.

1/30/06 - Nunc pro tunc  
to 1/25/06